

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**(1) PINNACLE PACKAGING  
COMPANY, INC.,**  
an Oklahoma corporation,  
**(2) POLO ROAD LEASING, LLC,**  
an Oklahoma limited liability company, and  
**(3) J. SCOTT DICKMAN,**

Plaintiffs,

v.

**(1) ONE EQUITY PARTNERS LLC,**  
a Delaware limited liability company,  
**(2) ONE EQUITY PARTNERS  
(EUROPE) GMBH, and**  
**(3) CONSTANTIA FLEXIBLES  
GMBH,** an Austrian corporation,

Defendants.

CASE No. 12-CV-537-JED-TLW

**JOINT MOTION TO ESTABLISH BRIEFING SCHEDULE  
FOR ANSWERS, MOTIONS, OR OTHER RESPONSES  
TO PLAINTIFFS' AMENDED COMPLAINT**

Plaintiffs Pinnacle Packaging Company, Inc., Polo Road Leasing, LLC, and J. Scott Dickman and Defendants One Equity Partners LLC, One Equity Partners (Europe) GmbH, and Constantia Flexibles GmbH<sup>1</sup> (collectively, the "Parties"), jointly move to establish a briefing schedule for Defendants' answers, motions, or other responses to Plaintiffs' Amended Complaint. The Parties have agreed to the following briefing schedule:

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<sup>1</sup> Defendants One Equity Partners LLC and Constantia Flexibles GmbH entered special appearances on October 23, 2012 (Dkt 10 and 11). Defendant One Equity Partners (Europe) GmbH has not yet appeared but will specially appear in accordance with its response to the Amended Complaint. In specially appearing, Defendants specifically preserve all defenses, including as to lack of personal jurisdiction.

|   |                    |
|---|--------------------|
| Defendants' answers, motions, or other response:                        | July 26, 2013      |
| Plaintiffs' opposition to any motion or response:                       | September 13, 2013 |
| Defendants' replies to any opposition filed on or before September 6:   | October 4, 2013    |
| Defendants' replies if any opposition is filed after September 6, 2013: | October 11, 2013   |

With respect to Defendants' replies, the parties have agreed to the alternative reply deadline based upon the response date of Plaintiffs' opposition to any motion. Plaintiffs believe they may file their opposition before the September 13 deadline. The alternative reply date ensures that Defendants will have at least four weeks to prepare and file their replies to any opposition.

By way of background, the Parties previously agreed that Defendants would not be obligated to answer, move or otherwise respond to the Amended Complaint until 45 days after all Defendants were properly served. The Parties agreed to confer in good faith to determine the date for Defendants to answer, move, or otherwise respond to the Amended Complaint after service upon all Defendants. (Dkt 31). The Court approved this agreement. (Dkt 32). By order dated February 8, 2013, this Court permitted Plaintiffs one year to effect service on Defendant Constantia. (Dkt 37). Plaintiffs effected service of process on Constantia on or about June 5, 2013. The Parties have now agreed to the briefing schedule set forth above.

WHEREFORE, the Parties request an order establishing the briefing schedule set forth above for Defendants' answers, motions, or other responses to Plaintiffs' Amended Complaint.

Dated: 27 June 2013

Respectfully submitted,

s/ John D. Russell

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\* - Signed with permission of non-filing party.

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